1 THE HONORABLE ROBERT S. LASNIK 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 BRUCE KEITHLY, DONOVAN LEE, and EDITH ANNA CRAMER, individually and on) 10 Behalf of all Other Similarly Situated,, No. C09-1485RSL 11 Plaintiffs. **DECLARATION OF KARIN B.** 12 **SWOPE IN SUPPORT OF**) PLAINTIFFS' OPPOSITION TO v.) 13 **DEFENDANTS' MOTION TO** 14 INTELIUS, INC., A Delaware Corporation; and) **DISMISS** INTELIUS SALES, LLCS, A Nevada Limited) 15 Liability Company,, NOTE ON MOTION CALENDAR FOR:) March 5, 2010 16 Defendant.) ORAL ARGUMENT REQUESTED 17 18 I, Karin B. Swope, do certify and state: 19 1. I am a partner at Keller Rohrback, LLP, one of the two firms representing 20 21 Plaintiffs in this case. I submit this declaration with Plaintiffs' Opposition to Defendants' 22 Motion to Dismiss. 23 2. Attached hereto as Exhibit "1" is a true and correct copy of Aggressive Sales 24 Tactics on the Internet and Their Impact on American Consumer, Staff Report for Chairman 25 Rockefeller, United States Senate Committee on Commerce, Science, and Transportation, (Nov. 26 16, 2009). LAW OFFICES OF DECLARATION OF KARIN B. SWOPE IN SUPPORT OF KELLER ROHRBACK L.L.P. PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO 1201 THIRD AVENUE, SUITE 3200 SEATTLE, WASHINGTON 98101-3052 **DISMISS** TELEPHONE: (206) 623-1900 FACSIMILE: (206) 623-3384

(09-CV-1485 RSL) Page - 1

1	3. Attached hereto as Exhibit "2" is a true and correct copy of the Prepared
2	Statement of Robert J. Meyer presented to the United States Senate Committee on Commerce,
3	Science, and Transportation (Nov. 17, 2009).
4	4. Attached hereto as Exhibit "3" is a true and correct copy of the Testimony of
5	Florencia Marotta-Wurgler before the United States Senate Committee on Commerce, Science,
6	and Transportation (Nov. 17, 2009).
7	
8	I certify under penalty of perjury that all of the foregoing statements made by me are true
9	and correct.
10	DATED this 26th day of February, 2010.
11	
12	By <u>s/ Karin B. Swope</u> Mark A. Griffin, WSBA #16296
13	Karin B. Swope, WSBA #24015 KELLER ROHRBACK L.L.P.
14	1201 Third Avenue, Suite 3200
15	Seattle, WA 98101 Tel:(206) 623-1900
16	Fax: (206) 623-3384
17	Andrew N. Friedman
18	Victoria S. Nugent
	Whitney R. Case COHEN MILSTEIN SELLERS & TOLL
19	P.L.L.C.
20	1100 New York Avenue, N.W., Suite 500 West
21	Washington, DC 20005-3964
	Tel: (202) 408-4600 Fax: (202 408-4699
22	1 3.11 (202 100 105)
23	Counsel for Plaintiffs Bruce Keithly, Donovan
24	Lee and Edith Anna Cramer
25	
26	

LAW OFFICES OF

KELLER ROHRBACK L.L.P.

1201 THIRD AVENUE, SUITE 3200 SEATTLE, WASHINGTON 98101-3052 TELEPHONE: (206) 623-1900 FACSIMILE: (206) 623-3384

(09-CV-1485 RSL) Page - 2

DISMISS

DECLARATION OF KARIN B. SWOPE IN SUPPORT OF

PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO

1	<u>CERTIFICATE OF SERVICE</u>
2	I hereby certify that on February 26, 2010, I caused to be served a true and correct copy
3	of the DECLARATION OF KARIN B. SWOPE IN SUPPORT OF PLAINTIFFS'
4	OPPOSITION TO DEFENDANTS' MOTION TO DISMISS on the following recipients via
5	the method indicated:
7 8 9	Arthur W. Harrigan, Jr., WSBA #1751 Tyler Farmer, WSBA #39912 DANIELSON HARRIGAN LEYH & TOLLEFSON, LLP 999 Third Avenue, Suite 4400 Scottle, Wookington 08104 Via ECF Via Hand Delivery Via U.S. First Class Mail Via facsimile to (206) 623-8717 Via email to:
10	Seattle, Washington 98104 Telephone: (206) 623-1700 Telephone: (206) 623-1700 arthurw@dhlt.com; and tylerf@dhlt.com
11	Attorneys for Intelius, Inc and Intelius Sales, LLC
12	
13	DATED this 26th day of February, 2010.
14 15	
16	s/Karin B. Swope Karin B. Swope
17	Karm B. Swope
18	
19	
20	
21 22	
23	
24	
25	
26	

DECLARATION OF KARIN B. SWOPE IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS (09-CV-1485 RSL) Page - 3

LAW OFFICES OF KELLER ROHRBACK L.L.P.

1201 THIRD AVENUE, SUITE 3200 SEATTLE, WASHINGTON 98101-3052 TELEPHONE: (206) 623-1900 FACSIMILE: (206) 623-3384